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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of:

Nilo FAGIOLINI et al.

Serial No. 09/423,746

Filed: November 15, 1999

For: REACTIVE POWDER COMPOSITION  
AND METHOD FOR PURIFYING GAS

Art Unit: 1754

Examiner: T. Vanoy

Atty. Docket No. 32232-152197

Customer No.



26694

PATENT TRADEMARK OFFICE

#34/10  
5/27/3

**REQUEST FOR REINSTATEMENT OF THE APPEAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is to expressly request, if necessary, reinstatement of the appeal, and treatment of the SUPPLEMENTAL BRIEF as the brief for purposes of the Examiner's Answer.

On April 16, 2003 applicants filed a SUPPLEMENTAL BRIEF, together with an AMENDMENT, in response to the PTO paper No. 29. For the record, applicants believe that it is appropriate to set forth the following chronology.

**EXPLANATION OF CHRONOLOGY**

Applicants filed a NOTICE OF APPEAL with fee on October 1, 2002 [and a BRIEF on Monday December 2, with fee].

A SUPPLEMENTAL BRIEF was filed, on April 16, 2003, together with an AMENDMENT [to place the claims in better condition for appeal]. In addition on April 16, an INFORMATION DISCLOSURE STATEMENT was filed.

The SUPPLEMENTAL BRIEF replaced the BRIEF filed [with fee] on December 2, 2002 [the SUPPLEMENTAL BRIEF was filed in response to the PTO Paper NO. 29]. PTO Paper No. 33 entered the April 16 AMENDMENT.

In applicants' view no fee is required. However, should a fee be required the U.S. PTO is authorized to charge Deposit Account 22-0261, for purposes of maintaining the pending status of this application.

Respectfully submitted,

Date: May 16 2003



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